

REMARKS

Response To Restriction Requirement

Reconsideration and allowance are respectfully requested. Claims 34-58 are pending and are at issue.

The Examiner has required restriction among the claims of Group I, claims 34-54, directed to a method for arresting the growth of or eradicating tumors; the claims of Group II, claims 55-56, directed to a kit comprising a photosensitizer; and Group III, claims 57-58 drawn to a kit comprising a prolactin enhancer. The Examiner has also required restriction among species of Groups I-III.

The restriction requirement is respectfully traversed, and reconsideration is requested.

A careful search would develop the prior art relevant to the claims of Groups I, II and III. See M.P.E.P. Section 803. The fact that the present claims are grouped into separate Patent Office classifications is not determinative of whether restriction is proper.

However, in order to be fully responsive, Applicants provisionally elect the claims of Group I, claims 34-54 for further prosecution of this application. Applicants provisionally elect single disclosed species in Group I as follows: 1) for prolactin enhancers, Applicants provisionally elect prolactin and

Docket No. 2591/1B206-US2
Serial No. 09/187,768

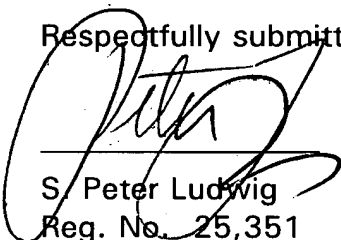
RECEIVED
JUN 21 2000
TC 1600 MAIL ROOM

pharmaceutically acceptable salts thereof; and 2) for photosensitizers, Applicants provisionally elect benzophenoxazine analogs and pharmaceutically acceptable salts thereof, and specifically 5-ethylamino-9-diethylamino-benzo[a]phenothiazinium chloride.

CONCLUSION:

It is believed that the claims are free of any grounds for rejection over the prior art, and early passage to allowance is earnestly solicited.

Respectfully submitted,



S. Peter Ludwig
Reg. No. 25,351
Attorney for Applicants

Dated: June 16, 2000

DARBY & DARBY P.C.
805 Third Avenue
New York, New York 10022
212-527-7700